



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-क

वर्ष ४, अंक १३]

गुरुवार, एप्रिल ५, २०१८ / चैत्र १५, शके १९४०

[पृष्ठे ४, किंमत : रुपये ९.००

असाधारण क्रमांक १५

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाव्यतिरिक्त इतर वैधानिक प्राधिकाऱ्यांनी तयार केलेले

(भाग एक, एक-अ व एक-ल यांमध्ये प्रसिद्ध केलेले वैधानिक नियम व आदेश यांव्यतिरिक्त इतर)

वैधानिक नियम व आदेश ; यात भारत सरकार, उच्च न्यायालय, पोलीस आयुक्त, आयुक्त (राज्य उत्पादन शुल्क), जिल्हादंडाधिकारी व निवडणूक आयोग, निवडणूक न्यायाधिकरण, निवडणूक निर्णय अधिकारी व निवडणूक आयोगाखालील इतर प्राधिकारी यांनी तयार केलेले वैधानिक नियम व आदेश यांचा समावेश होतो.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road,

New Delhi 110 001, dated the 16th March, 2018
25 Phalguna, 1939 (Saka).

NOTIFICATION

No. 82/MT-LA/2/2004.— In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951) the Election Commission of India hereby publishes the judgment / order dated 8th December 2017 of the High Court of Judicature at Bombay in Election Petition No. 2 of 2004.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

(In Chambers)

ELECTION PETITION No. 1 OF 2008

(i.e. APPLICATION)

IN

ELECTION PETITION No. 2 OF 2004

Babubhai Bhawanji

. . . *Petitioner*

versus

Shri Jagannath Achanna Shetty and Ors.

. . . *Respondents*

Mr. Bipin Joshi with Mr. P. B. Joshi for the Petitioner

Mr. Vaibhav A. Sugdare for Respondent No. 1

Ms. Uma Palsuledesai-AGP for Respondent Nos. 11 and 12.

CORAM : S. C. DHARMADHIKARI, J.

Dated : December 8, 2017

P. C.

1. In terms of the office report and earlier orders, it is evident that a notice has been issued to the respondents. The report indicates that the notices issued to respondent Nos. 2, 10 and 11 were returned with some remarks. However, respondent No. 11 is represented by Ms. Palsuledesai-learned AGP. He is the returning officer. As far as respondent Nos. 2 and 10 are concerned, what I find is that the notice was also published in the *Government Gazette* dated 7th February, 2009. No application has been received seeking to substitute any applicant in place of the present petitioner.

2. Evidently, the present petitioner is desirous of withdrawing the petition. Once the rules and the procedural requirements are complied with, the election petition is disposed of as withdrawn. However, the costs of respondents Nos. 11 and 12, who have been appearing throughout, should be paid. The costs payable to respondent Nos. 11 and 12 are quantified at Rs. 5,000 each. The costs be paid within a period of four weeks from the date of receipt of a copy of this order.

3. In terms of sections 109 and 110 of the Representation of Peoples Act, 1951, the required procedure having been completed, this election petition is disposed of.

S. C. DHARMADHIKARI, J.

By Order,

A. N. DAS,

Secretary,

Election Commission of India.

भारत निर्वाचन आयोग

निर्वाचन सदन, अशोक रोड,

नई दिल्ली 110 001, तारीख 16 मार्च, 2018
25 फाल्गुन, 1939 (शक)

अधिसूचना

सं. 82/महा. वि.स./2/2004.—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106 के अनुसरण में, भारत निर्वाचन आयोग, 2004 की निर्वाचन याचिका संख्या 2 में मुम्बई उच्च न्यायालय के दिनांक 8 दिसंबर 2017 के निर्णय/आदेश को एतद्वारा प्रकाशित करता है।

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(S. C. DHARMADHIKARI, J.)

आदेश से,

ए. एन. दास,

सचिव,

भारत निर्वाचन आयोग.

क्रमांक ईटीपी. २०१७/प्र.क्र. ५४४/१७/३३
सामान्य प्रशासन विभाग,
मादाम कामा रोड, हुतात्मा राजगुरू चौक,
मंत्रालय, मुंबई ४०० ०३२,
दिनांक ५ एप्रिल २०१८.

प्रत, माहिती व योग्य कार्यवाहीसाठी अग्रेषित.—

- (१) प्रधान सचिव, महाराष्ट्र विधानमंडळ सचिवालय, विधान भवन, मुंबई,
- (२) जिल्हाधिकारी तथा जिल्हा निवडणूक अधिकारी (सर्व),
- (३) निवडनस्ती.

सं. ना. गरुडकर,
कक्ष अधिकारी.